

IN RE: PETITION FOR VARIANCE \* BEFORE THE  
SW/S Reisterstown Road at its \*  
intersection w/Cherry Valley Rd. \* DEPUTY ZONING COMMISSIONER  
(11700 Reisterstown Road)  
4th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \* Case No. 95-224-A  
KD Associates, By Metropolitan \*  
Management Co. - Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 11700 Reisterstown Road, located in the Pikesville area in the vicinity of Delight. The Petition was filed by the owners of the property, KD Associates, By Metropolitan Management Company, through Michael F. Klein, General Partner, and the Contract Lessee, Stephen L. Miles, Esquire, through their attorney, F. Vernon Boozer Esquire. The Petitioners seek relief from Section 413.2.E of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an identification sign of 175.5 sq.ft. in lieu of the maximum permitted 150 sq.ft. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were William Berman, Property Manager for KD Associates, property owner, Stephen L. Miles, Contract Lessee, and Roger Sullivan, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of .7760 acres, more or less, zoned B.L.-C.N.S. The property is located on the northwest corner of Reisterstown Road at Cherry Valley Road and is improved with a one-story strip shopping center, known as Hammershire Square, and a one-story bank building. Testimony

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

revealed that Mr. Miles wishes to lease space within the shopping center to open a branch office for his legal practice. Furthermore, Mr. Miles would like to add a small identification sign of 3' x 9' to the existing shopping center sign to advertise his law practice. A detail of the proposed sign is depicted on the site plan of the property which was accepted into evidence as Petitioner's Exhibit 1. By virtue of an additional tenant in the shopping center and the proposed sign, the requested variance is necessary.

It should be noted that the Zoning Plans Advisory Committee comments submitted by the Developers Engineering Section and the Office of Planning and Zoning indicate that there is insufficient landscaping along Reisterstown Road and that a landscape plan should be submitted to bring the subject property into compliance with the landscape manual. Therefore, as a condition of the relief granted, a landscape plan must be submitted for review and approval by the Landscape Architect for Baltimore County prior to the issuance of any sign permit.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

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Date

By

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28  
(1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6<sup>th</sup> day of February, 1995 that the Petition for Variance seeking relief from Section 413.2.E of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an identification sign of 175.5 sq.ft. in lieu of the maximum permitted 150 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as

ORDER RECEIVED FOR FILING

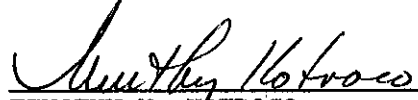
Date

By

the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Within thirty (30) days of the date of this Order, Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County. Said plan shall comply to the extent possible with the Landscape Manual.

3) When applying for a sign permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 2/6/95  
By [Signature]

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Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

February 6, 1995

F. Vernon Boozer, Esquire  
Roger Sullivan, Esquire  
614 Bosley Avenue  
Towson, Maryland 21204

RE: PETITION FOR VARIANCE  
SW/S Reisterstown Road at its intersection w/Cherry Valley Road  
(11700 Reisterstown Road)  
4th Election District - 3rd Councilmanic District  
KD Associates, By Metropolitan Management Co. - Petitioners  
Case No. 95-224-A

Dear Messrs. Boozer and Sullivan:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Michael F. Klein, General Partner, Metropolitan Management Co.  
115 Sudbrook Lane, Suite 200, Baltimore, Md. 21208

Mr. Stephen L. Miles  
1020 St. Paul Street, Baltimore, Md. 21202-2600

People's Counsel

File

**MICROFILMED**





# Petition for Variance

75-224-A

## to the Zoning Commissioner of Baltimore County

for the property located at

11700 Reisterstown Rd.

which is presently zoned

BL-CNS

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 413.2 to permit a sign of 175.5 sq. ft. in lieu of the required maximum of 150 sq. ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty) Petitioner is the lessee and wishes to advertise on the existing sign which is almost the maximum size. If petitioner cannot place his sign on the existing sign, he will be at a commercial disadvantage; and for such other and further reasons to be designated at the hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee.

Stephen L. Miles

(Type or Print Name)

Signature

1020 St. Paul Street

Address

Baltimore, Maryland 21202-2600

City

State

Zipcode

Attorney for Petitioner:

F. Vernon Booser

(Type or Print Name)

Signature

614 Bosley Avenue 828-9441

Address

Phone No.

Towson, Maryland 21204

City

State

Zipcode

Legal Owner(s)

KD Associates By: Metropolitan Management Co.

(Type or Print Name)

Managing Agent

Signature

Michael F. Klein, General Partner

(Type or Print Name)

Signature

115 Sudbrook Lane, Suite 200

Address

Phone No.

Baltimore, Maryland 21208

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

F. Vernon Booser

Name

614 Bosley Avenue

Address

828-9441

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates \_\_\_\_\_ Next Two Months

ALL \_\_\_\_\_ OTHER \_\_\_\_\_

REVIEWED BY: *JP* DATE 12-19-94

Zoning Administration

Seal of Baltimore County, Maryland

MICROFILMED

# 217

ORDER RECEIVED FOR FILING

Date 12/16/94

By *JP*

**KENNETH J. WELLS, INC.**  
*Land Planners and Surveyors*

95-224-A

Telephone: (410) 665-3242  
Telecopier: (410) 665-3659

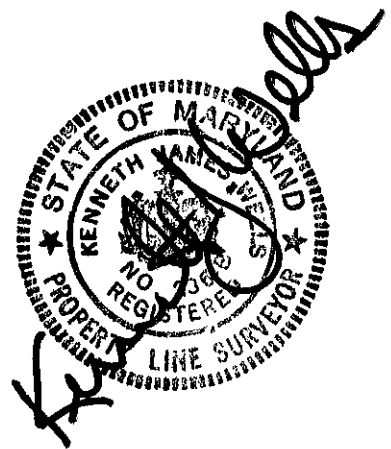
7902 Belair Road  
Baltimore, Md. 21236-3735

December 19, 1994

**ZONING DESCRIPTION**

**Beginning for the same** on the southwest side of Reisterstown Road, at a point formed by the intersection of said Reisterstown Road and the northwest side of Cherry Valley Road, thence South 1 degree 11 minutes 00 seconds West 21.21 feet, thence with a line curving to the right having a radius of 640.00 feet and a length of 123.89 feet; thence South 57 degrees 16 minutes 27 seconds West 63.17 feet; thence North 43 degrees 49 minutes 00 seconds West 155.06 feet; thence North 47 degrees 08 minutes 00 seconds East 200.13 feet; thence South 43 degrees 49 minutes 00 seconds East 160.85 feet to the place of beginning. Containing 0.7760 acres of land more or less.

#217



11/20/94

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

93-244-R

District: H18 Date of Posting: 1/13/95

Posted for: Variance

Petitioner: K.D. Associates - Stephen L. Miller

Location of property: 11700 Reisterstown Rd., SW/S

Location of Signs: Facing Roadway on property being zoned

Remarks: \_\_\_\_\_

Posted by: [Signature] Date of return: 1/20/95  
Signature

Number of Signs: 1

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# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118 Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204

follows:

## Case Number:

88-224-A (Item 217)  
11700 Reisterstown Road  
- Hammershire Square  
SW/S Reisterstown Road  
at point formed by its  
intersection with NW/S  
Cherry Valley Road  
4th Election District  
3rd Councilmanic

## Legal Owner(s):

KQ Associates  
Contract Purchaser(s):  
Stephen L. Miles

HEARING: WEDNESDAY,  
FEBRUARY 1, 1995 at  
10:00 a.m. in Rm. 118, Old  
Courthouse

Variance: to permit a sign of  
175.5 square feet in lieu of the  
required maximum of 150  
square feet.

LAWRENCE E. SCHMIDT,  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Hand-  
icapped accessible; for special  
accommodations Please Call  
887-3353.

(2) For Informa-  
tion concerning the File and/or  
Hearing, Please Call 887-3391.

1/113 January 12

# CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Jan. 13, 1995

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper published  
in Towson, Baltimore County, Md., once in each of 1 successive  
weeks, the first publication appearing on Jan. 12, 1994.

THE JEFFERSONIAN,

A. Henrichson  
LEGAL AD. - TOWSON

~~Signature~~



Baltimore County  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt  
95-224-A

Account: R-001-6150

Number

217

Date

12/19/94

Taken by JRF

Stephen L. Miles -- 11700 Reisterstown Rd.

020 Variance -- \$ 250.00

080 Sign -- -- \$ 35.00

---

\$ 285.00

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RECEIVED TOWSON

12/20/94

NO. 0010735ANT 12-19-94

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 217

Petitioner: STEVE MILLS

Location: 11700 RUSTERTOWN RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: F. VERNON BOOZER

ADDRESS: 614 BOXBY AVE

TOWSON MD 21204

PHONE NUMBER: 828-9441

AJ:ggs

RECEIVED  
JAN 11 1994

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY  
January 12, 1995 Issue - Jeffersonian

Please forward billing to:

F. Vernon Boozer, Esq.  
614 Bosley Avenue  
Towson, Maryland 21204  
828-9441

---

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-224-A (Item 217)  
11700 Reisterstown Road -- Hammershire Square  
SW/S Reisterstown Road at point formed by its intersection with NW/S Cherry Valley Road  
4th Election District - 3rd Councilmanic  
Legal Owner(s): KD Associates  
Contract Purchaser(s): Stephen L. Miles  
HEARING: WEDNESDAY, FEBRUARY 1, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a sign of 175.5 square feet in lieu of the required maximum of 150 square feet.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

JANUARY 6, 1995

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
OR  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-224-A (Item 217)  
11700 Reisterstown Road -- Hammershire Square  
SW/S Reisterstown Road at point formed by its intersection with NW/S Cherry Valley Road  
4th Election District - 3rd Councilmanic  
Legal Owner(s): KD Associates  
Contract Purchaser(s): Stephen L. Miles  
HEARING: WEDNESDAY, FEBRUARY 1, 1995 at 10:00 a.m. in Room 118, Old Courthouse.

Variance to permit a sign of 175.5 square feet in lieu of the required maximum of 150 square feet.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: KD Associates/Metropolitan Management Co.  
Stephen L. Miles  
F. Vernon Boozer

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) ~~THESE ARE~~ ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-~~3353~~.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

January 25, 1995

F. Vernon Boozer, Esquire  
614 Bosley Avenue  
Towson, Maryland 21204

RE: Item No.: 217  
Case No.: 95-224-A  
Petitioner: KD Associates, et al

Dear Mr. Boozer:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on December 19, 1994.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 01/18/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 3, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 217, 218, 219 AND 220.

RECEIVED

JAN 19 1995

ZADM

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICROFILMED




BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration  
and Development Management

Date: January 9, 1995

FROM:  Robert W. Bowling, Chief  
Developers Engineering Section

SUBJECT: Zoning Advisory Committee Meeting  
For January 9, 1995  
Item No. 217

The Developers Engineering Section has reviewed the subject zoning item. The subject item is not in compliance with the existing Landscape Manual requirements. If a variance is granted for this site, it should be made subject to compliance.

RWB:jrb

cc: File

RWB11

RWB11/PB\_FORM

MICROFILMED





**Maryland Department of Transportation  
State Highway Administration**

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

1-3-95

Ms. Julie Winiarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204  
ATTN: Ms. JOYCE WATSON  
Dear Ms. Winiarski:

Re: Baltimore County  
Item No.: 4217 (JRF)

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration &  
Development Management

FROM: Pat Keller, Director  
Office of Planning and Zoning

DATE: January 11, 1995

SUBJECT: 11700 Reisterstown Rd.

INFORMATION:

Item Number: 217

Petitioner: Steven L. Miles

Property Size: .77 acre

Zoning: BL-CNS

Requested Action: Variance

Hearing Date:       /      /      

SUMMARY OF RECOMMENDATIONS:

Staff does not oppose the applicant's request provided that the style of the additional information to be added to the sign is compatible with the existing message. Should the applicant's request be granted, staff recommends that a landscape plan be submitted and reviewed by the Department of Public Works since a site inspection revealed insufficient landscaping along Reisterstown Rd.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Keene

PK/JL

MICROFILMED

RE: PETITION FOR VARIANCE \* BEFORE THE  
11700 Reisterstown Road, SW/S Reisterstwn \*  
Road at point formed by its intersection \* ZONING COMMISSIONER  
with NW/S Cherry Valley Road \* OF BALTIMORE COUNTY  
4th Election District - 3rd Councilmanic \*  
KD Associates/Stephen L. Miles \* CASE NO. 95-224-A  
Petitioners \*

\* \* \* \* \*

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26<sup>th</sup> day of January, 1995, a copy of the foregoing Entry of Appearance was mailed to F. Vernon Boozer, Esquire, 614 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW

614 BOSLEY AVENUE

TOWSON, MARYLAND 21204

AREA CODE 410

828-9441

FAX 410-823-7530

EDWARD C. COVAHEY, JR.

F. VERNON BOOZER \*

MARK S. DEVAN

ANTHONY J. DiPAULA \*

THOMAS P. DORE

ROGER J. SULLIVAN

ANNEX OFFICE

SUITE 101

606 BALTIMORE AVE.

TOWSON, MD. 21204

\* ALSO ADMITTED TO D. C. BAR

December 19, 1994

6171-94  
12/28/94 WCL  
Fdc  
95-224-A

Arnold Jablon, Director  
Baltimore County Office of Planning & Zoning  
4th Floor, Room 406  
401 Bosley Avenue  
Towson, Maryland 21204

RE: Variance - Hammershire Square  
11700 Reisterstown Road  
Item No. 217

Dear Mr. Jablon:

Please be advised that my office represents Steven L. Miles, the Petitioner for the above captioned zoning variance request. Same was accepted for filing by the Office of Zoning on 12/19/94. It is my understanding that in the normal course of events, these hearings are conducted approximately 45 days after filing.

Please treat this letter as a formal request to have the hearing date in this matter held as quickly as possible as my client cannot commit to a long term lease at the above captioned location without benefit of the zoning variance. Likewise, until such time as the variance request is heard, the owner of the above captioned property is denied rental income from my client. Time is therefor of the essence. Any consideration you can give in this regard will be greatly appreciated.

Very truly yours,

  
F. VERNON BOOZER

FVB/gab  
cc: Steven L. Miles, Esq.

19`gab.06

RECEIVED  
DEC 20 1994  
ZADM

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

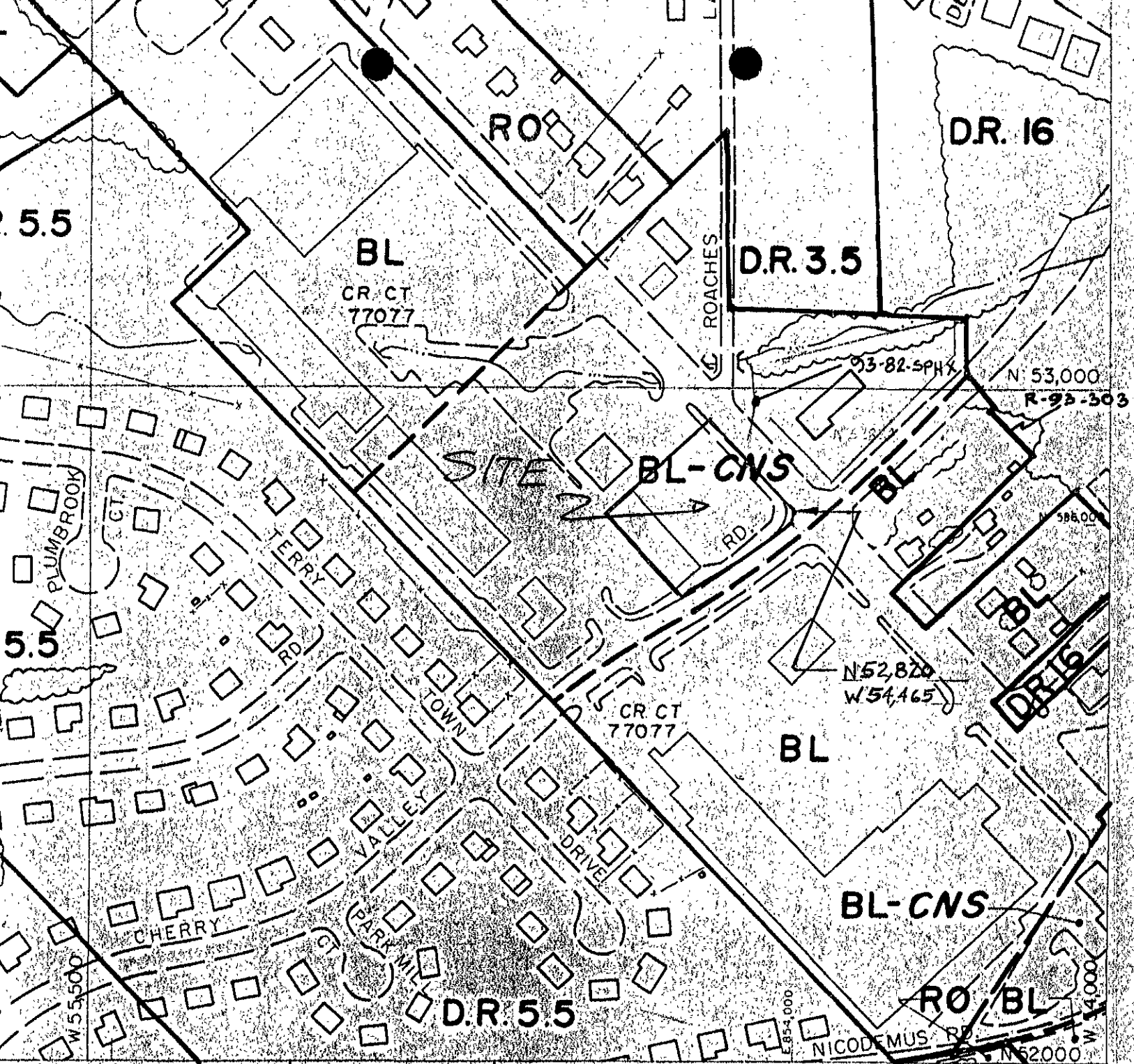
NAME

ADDRESS

William Reeman  
STEVE MILES

115 Sudbrook Ln  
1020 5th. Paul St Bk12, MD 21002

000000000000



**COMPREHENSIVE ZONING MAP**  
**more County Council**  
**1992**  
 ,186-92,187-92,188-92,189-92  
*Howard IV*  
**County Council**

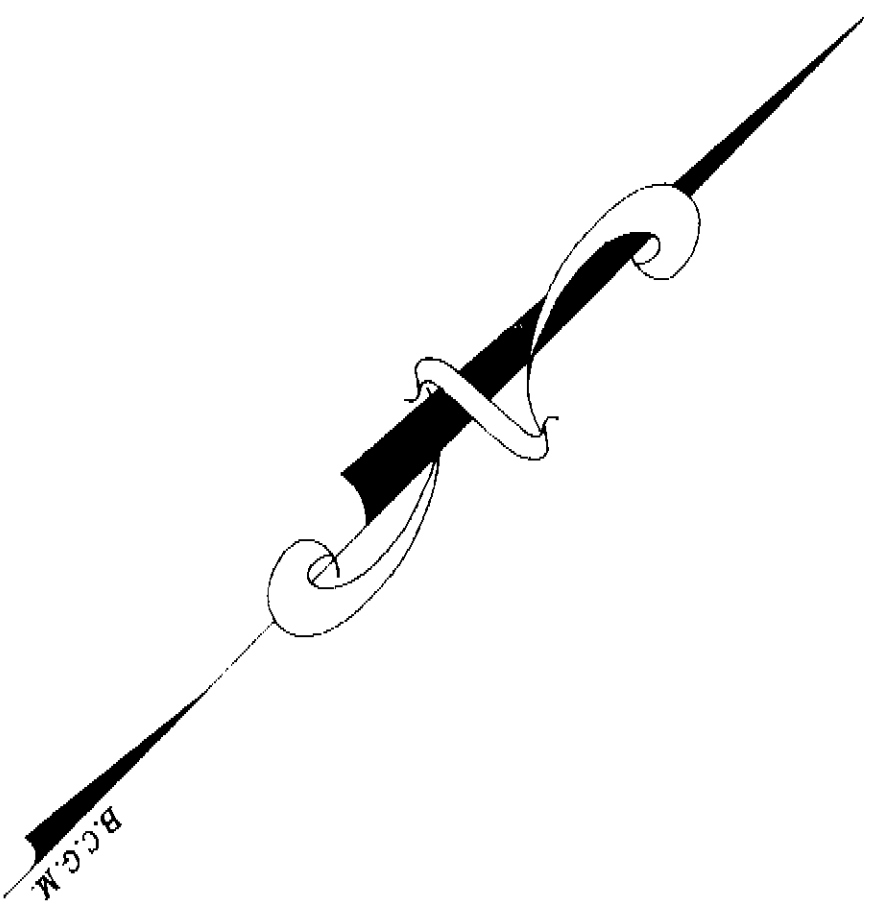
**SCALE**  
 1" = 200' ±  
**DATE**  
**OF**  
**PHOTOGRAPHY**  
**JANUARY**  
**1986**

**LOCATION**  
 # 217  
**DELIGHT**  
 95-224-A

**SHEET**  
 N. W.  
 14-J

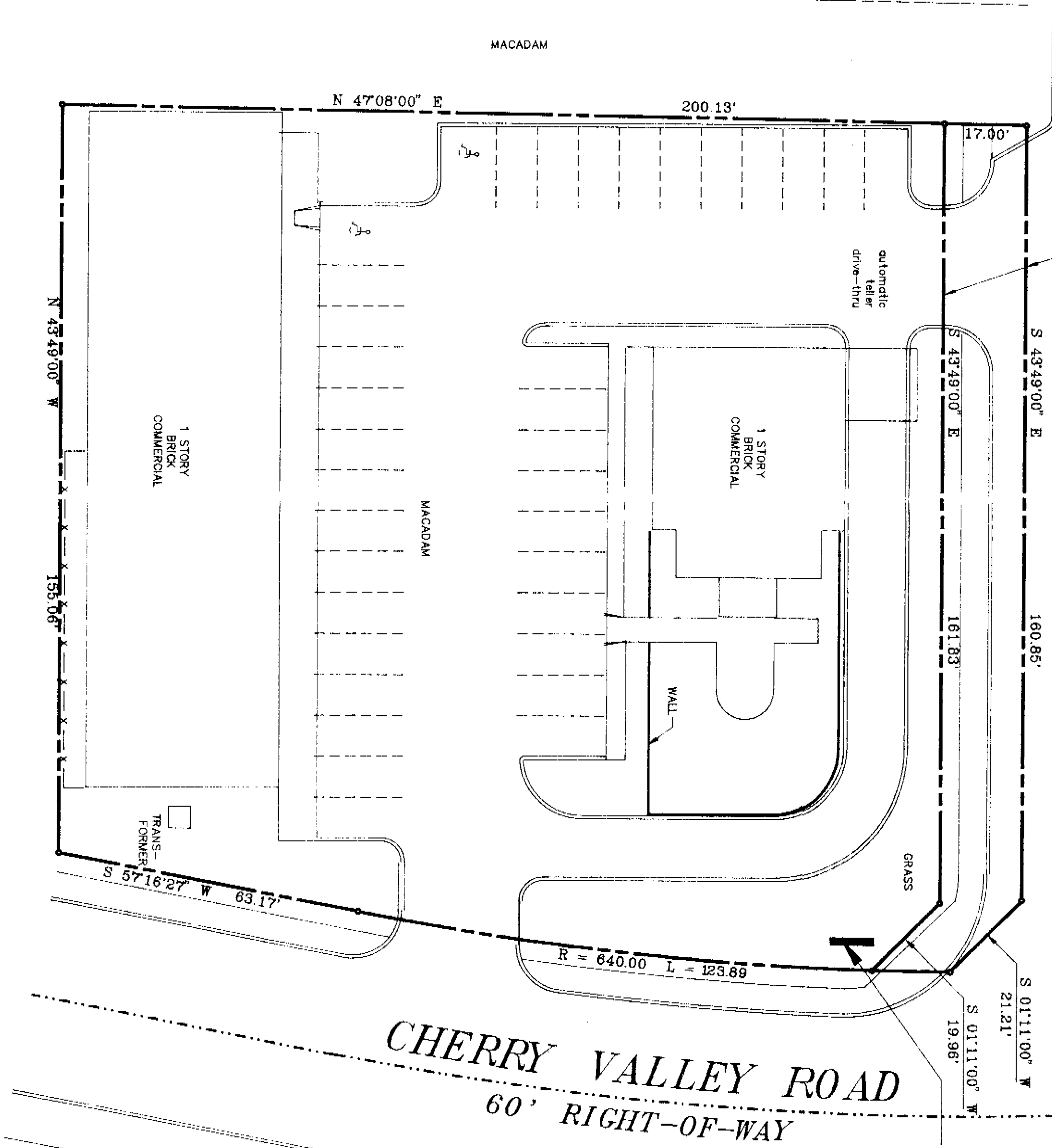
**MICROFILMED**

ALPHER & MEYER  
5628/0903  
EXISTING COMMERCIAL



# REISTERSTOWN ROAD 66' RIGHT-OF-WAY

CHERRYVALE PLAZA  
EXISTING COMMERCIAL

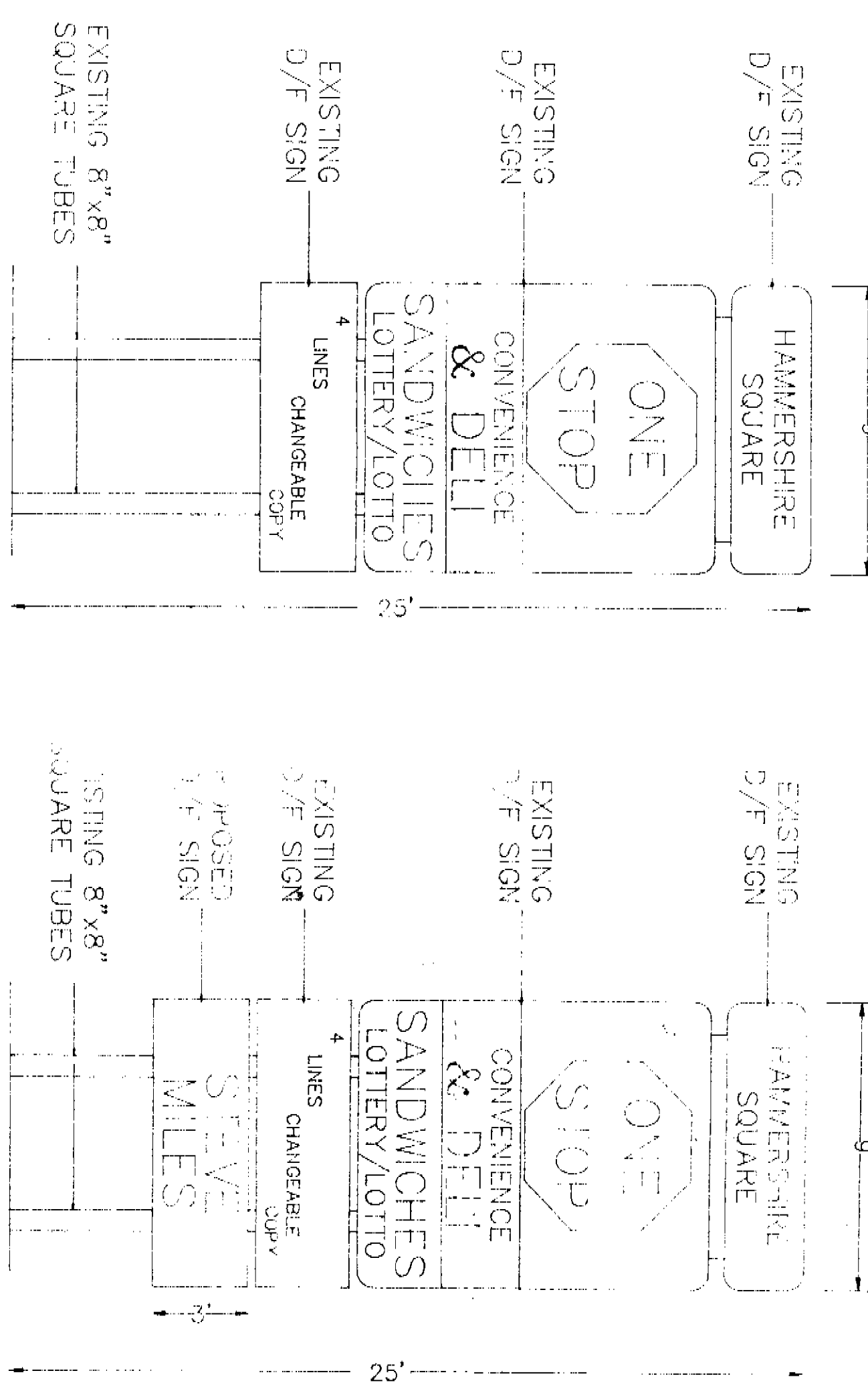


## CHERRY VALLEY ROAD 60' RIGHT-OF-WAY

SIGN

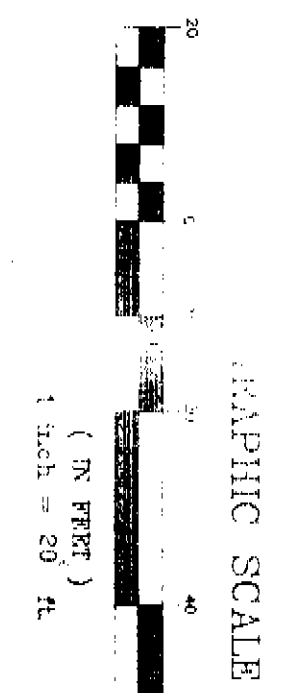
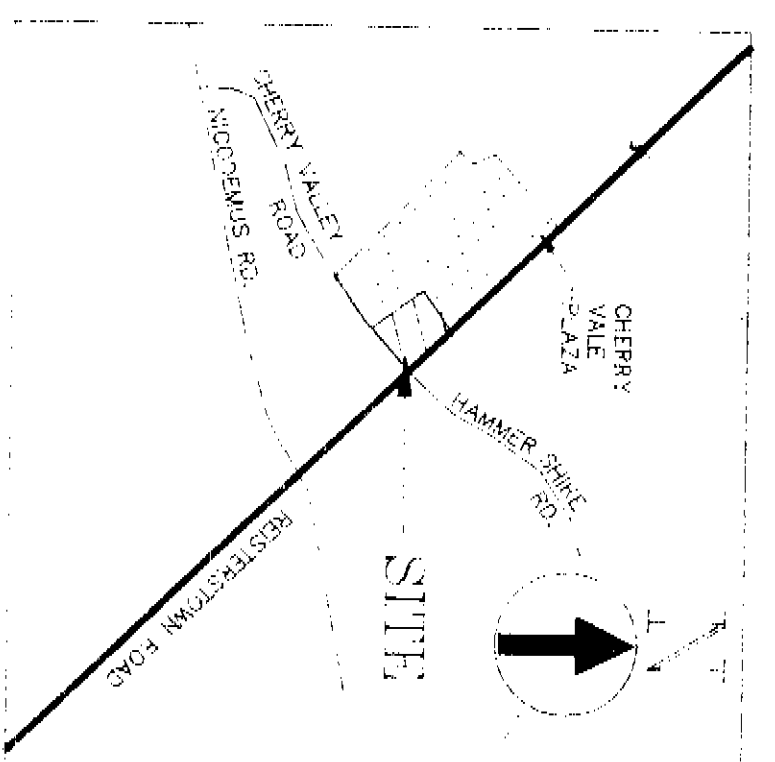
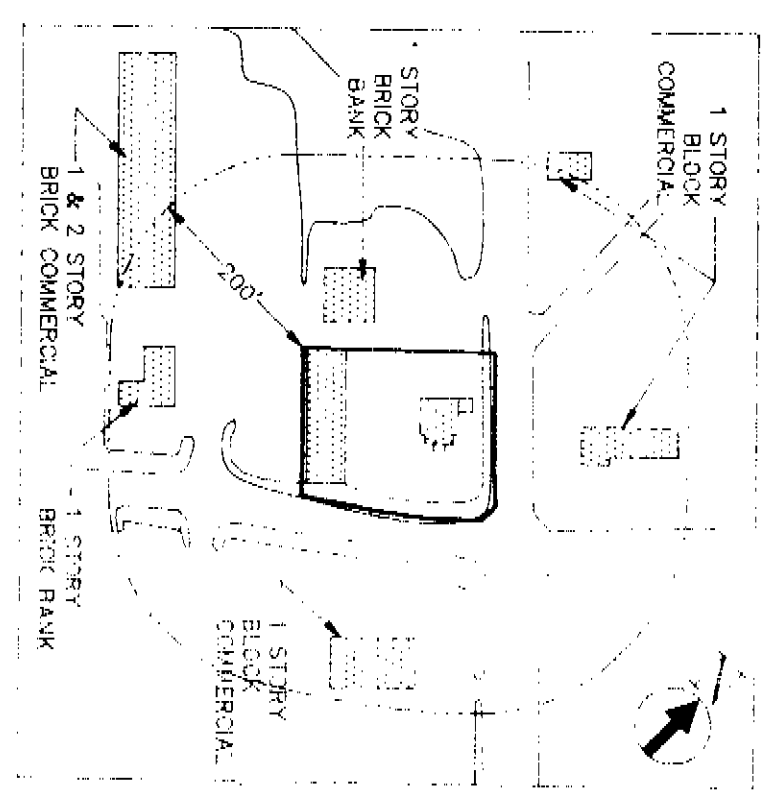
MICHAEL P. SMITH  
GEORGE A. OURSLER  
1356/0225  
EXISTING COMMERCIAL

- GENERAL NOTES:**
- 1) CURRENT OWNER: K & D ASSOCIATES
  - 2) OWNER'S ADDRESS: 6229 NORTH CHARLES STREET BALTIMORE, MARYLAND 21212
  - 3) OWNER'S TELEPHONE NO.: 377-8600
  - 4) APPLICANT: STEVEN L. MILES
  - 5) APPLICANT'S ADDRESS: 11700 REISTERSTOWN ROAD REISTERSTOWN, MARYLAND 21136
  - 6) DEED REFERENCE: 7302/631
  - 7) PLAT REFERENCE: NONE
  - 8) TAX MAP REFERENCE: 4-19-051225
  - 9) ELECTION DISTRICT: 4
  - 10) COUNCILMANIC DISTRICT: 3
  - 11) CENSUS TRACT: 4044.01
  - 12) WATERSHED: 27
  - 13) SUBWATERSHED: 67
  - 14) ZONING IS BL-CNS
  - 15) TYPE OF BUSINESS: OFFICES
  - 16) GROSS AREA: 0.7760 ACRE = 33,803 SQ. FT.
  - 17) FLOOR AREA: 7520 SQ. FT.
  - 18) TOTAL: 7520 SQ. FT.
  - 19) PARKING SPACES REQUIRED: 36
  - 20) F.A.R. ALLOWED: 3.0 x 33,803 SQ. FT. = 101,409 SQ. FT.
  - 21) F.A.R. = 7520 SQ. FT.
  - 22) A.O.S. NOT REQUIRED
  - 23) A.O.S. NOT REQUIRED
  - 24) PREVIOUS CONVEYANCE REFERENCE: 217222 B198675, 218867 RE189397, 2190106 B198653, 2190433
  - 25) PREVIOUS WAIVERS: CONSTRUCTION ON THE SITE HAS COMPLETED APPROX. 1985, WITH NO FURTHER IMPROVEMENTS SINCE.
  - 26) IMPROVEMENTS SHOWN ARE DERIVED FROM A PLAT PREPARED BY DAFT, MCQUE, WALKER, INC. TITLED AMENDED HAMMERSHIRE SQUARE APRIL 9, 1985.



**EXISTING SIGN**  
AREA ALLOWED = 150 SQ. FT. PER SIDE  
EXISTING AREA = 148.5 SQ. FT. PER SIDE

**PROPOSED SIGN**  
AREA ALLOWED = 150 SQ. FT. PER SIDE  
PROPOSED AREA = 179.5 SQ. FT. PER SIDE  
VARIANCE REQUESTED FOR 219.5 SQ. FT. ON SIDE



MICROFILMED

95-224-A

PETITIONER'S  
EXHIBIT 1

PLAN TO ACCOMPANY  
A PETITION FOR A  
ZONING VARIANCE  
HEARING

KENNETH J. WELLS, INC.  
7902 BELAIR ROAD  
BALTIMORE, MARYLAND 21236  
(410) 685-3242

LAND PLANNERS AND SURVEYORS

REVISIONS:	NO.	DATE
DRAWN BY: JCH		
CHECKED BY:		
DATE: 12/09/94		
TITLE:		
HAMMERSHIRE SQUARE		
11700 REISTERSTOWN RD.		
SHEET 1 OF 1		
PROJECT NO.		
94041		



IN RE: PETITION FOR VARIANCE \* BEFORE THE  
SW/S Reisterstown Road at its \* DEPUTY ZONING COMMISSIONER  
intersection w/Cherry Valley Rd. (11700 Reisterstown Road)  
4th Election District \* OF BALTIMORE COUNTY  
3rd Councilmanic District \* Case No. 95-224-A  
KD Associates, By Metropolitan  
Management Co. - Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 11700 Reisterstown Road, located in the Pikesville area in the vicinity of Delight. The Petition was filed by the owners of the property, KD Associates, By Metropolitan Management Company, through Michael F. Klein, General Partner, and the Contract Lessee, Stephen L. Miles, Esquire, through their attorney, F. Vernon Booser Esquire. The Petitioners seek relief from Section 413.2.E of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an identification sign of 175.5 sq.ft. in lieu of the maximum permitted 150 sq.ft. The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing on behalf of the Petition were William Berman, Property Manager for KD Associates, property owner, Stephen L. Miles, Contract Lessee, and Roger Sullivan, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of .7760 acres, more or less, zoned B.L.-C.N.S. The property is located on the northwest corner of Reisterstown Road at Cherry Valley Road and is improved with a one-story strip shopping center, known as Hammershire Square, and a one-story bank building. Testimony

revealed that Mr. Miles wishes to lease space within the shopping center to open a branch office for his legal practice. Furthermore, Mr. Miles would like to add a small identification sign of 3' x 9' to the existing shopping center sign to advertise his law practice. A detail of the proposed sign is depicted on the site plan of the property which was accepted into evidence as Petitioner's Exhibit 1. By virtue of an additional tenant in the shopping center and the proposed sign, the requested variance is necessary.

It should be noted that the Zoning Plans Advisory Committee comments submitted by the Developers Engineering Section and the Office of Planning and Zoning indicate that there is insufficient landscaping along Reisterstown Road and that a landscape plan should be submitted to bring the subject property into compliance with the landscape manual. Therefore, as a condition of the relief granted, a landscape plan must be submitted for review and approval by the Landscape Architect for Baltimore County prior to the issuance of any sign permit.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

- 2 -

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6<sup>th</sup> day of February, 1995 that the Petition for Variance seeking relief from Section 413.2.E of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an identification sign of 175.5 sq.ft. in lieu of the maximum permitted 150 sq.ft., in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as

- 3 -

the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Within thirty (30) days of the date of this Order, Petitioners shall submit a landscape plan for review and approval by the Landscape Architect for Baltimore County. Said plan shall comply to the extent possible with the Landscape Manual.

3) When applying for a sign permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 2/17/95  
By [Signature]

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

February 6, 1995

F. Vernon Booser, Esquire  
Roger Sullivan, Esquire  
614 Bosley Avenue  
Towson, Maryland 21204

RE: PETITION FOR VARIANCE  
SW/S Reisterstown Road at its intersection w/Cherry Valley Road  
(11700 Reisterstown Road)  
4th Election District - 3rd Councilmanic District  
KD Associates, By Metropolitan Management Co. - Petitioners  
Case No. 95-224-A

Dear Messrs. Booser and Sullivan:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

*Timothy M. Kotroco*  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Michael F. Klein, General Partner, Metropolitan Management Co.  
115 Sudbrook Lane, Suite 200, Baltimore, Md. 21208

Mr. Stephen L. Miles  
1020 St. Paul Street, Baltimore, Md. 21202-2600

People's Counsel

File

## Petition for Variance

to the Zoning Commissioner of Baltimore County  
for the property located at 11700 Reisterstown Rd.  
which is presently zoned B.L.-C.N.S.

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 413.2eto prsmit a sign of 175.5 sq. ft. in lieu of the required maximum of 150 sq. ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty) Petitioner is the lessee and wishes to advertise on the existing sign which is almost the maximum size. If petitioner cannot place his sign on the existing sign, he will be at a commercial disadvantage; and for such other and further reasons to be designated at the hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

Contact Purchaser/Lessee

Stephen L. Miles

1020 St. Paul Street

Baltimore, Maryland 21202-2600

City State Zip

Address

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

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City State Zip

City State Zip

Who do solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

KD Associates By: Metropolitan Management Co.  
Managing Agent

Michael F. Klein, General Partner

115 Sudbrook Lane, Suite 200

Baltimore, Maryland 21208

City State Zip

City State Zip

City State Zip

City State Zip

City State Zip

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KENNETH J. WELLS, INC.  
Land Planners and Surveyors

95-224-A

Telephone: (410) 845-3242  
Telecopier: (410) 865-3659

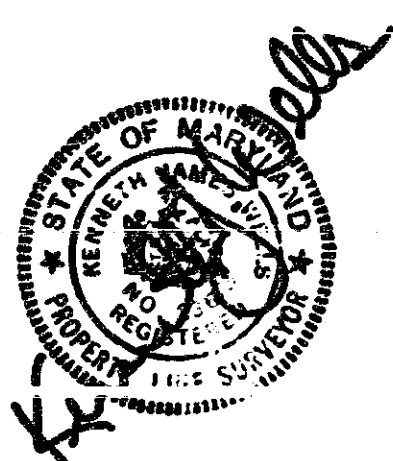
7902 Solar Road  
Baltimore, Md. 21236-3735

December 19, 1994

#### ZONING DESCRIPTION

Beginning for the same on the southwest side of Reisterstown Road, at a point formed by the intersection of said Reisterstown Road and the northwest side of Cherry Valley Road, thence South 1 degree 11 minutes 00 seconds West 21.21 feet, thence with a line curving to the right having a radius of 640.00 feet and a length of 123.99 feet; thence South 57 degrees 16 minutes 27 seconds West 63.17 feet; thence North 43 degrees 49 minutes 00 seconds West 155.06 feet; thence North 47 degrees 08 minutes 00 seconds East 200.13 feet; thence South 43 degrees 49 minutes 00 seconds East 160.85 feet to the place of beginning. Containing 0.7760 acres of land more or less.

# 217



#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

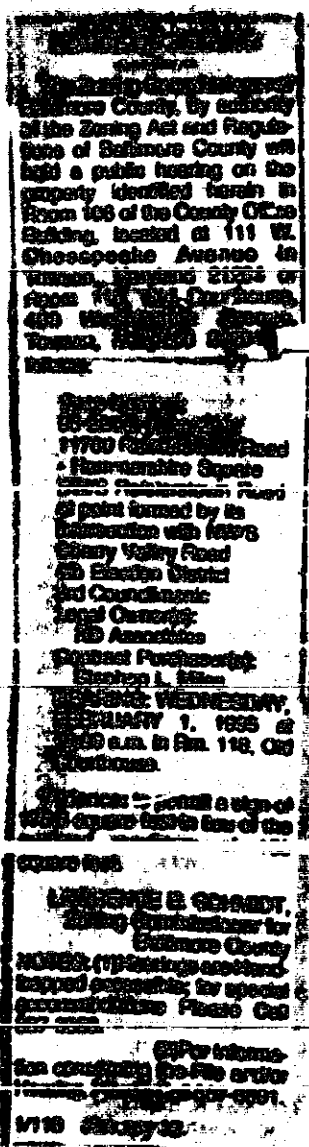
District 11th Date of Posting 1/12/95  
Posted for: Variance  
Petitioner: KD Associates - Stephen L. Miles  
Location of property: 11700 Reisterstown Rd., 54/5  
Location of Signs: Existing Reisterstown Rd. property being zoned  
Remarks: \_\_\_\_\_  
Posted by: [Signature] Date of return: 1/20/95  
Number of Signs: 1

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., Jan 13, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Jan. 12, 1994

THE JEFFERSONIAN,  
*A. Henrichson*  
LEGAL AD. - TOWSON



ORDER RECEIVED FOR FILING  
Date 2/17/95  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 2/17/95  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 2/17/95  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 2/17/95  
By [Signature]

# 217



receipt  
95-224-A  
Date 12/15/94  
Stephen L. Miles -- 11700 Reisterstown Rd.  
020 Variance -- \$250.00  
030 Sign -- \$35.00  
\$285.00  
Baltimore County Government  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
Account # 001-6150  
Number 217  
Taken by JRF  
Please Make Checks Payable To: Baltimore County  
Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353  
ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES  
Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.  
This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.  
PAYMENT WILL BE MADE AS FOLLOWS:  
1) Posting fees will be assessed and paid to this office at the time of filing.  
2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.  
NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.  
Carl Jablon  
ARNOLD JABLON, DIRECTOR  
For newspaper advertising:  
Item No.: 217  
Petitioner: STEVE MILES  
Location: 11700 REISTERSTOWN RD  
PLEASE FORWARD ADVERTISING BILL TO:  
NAME: F. VERNON BOOSER  
ADDRESS: 614 BOSLEY AVE  
TOWSON MD 21204  
PHONE NUMBER: 828-9441  
AJ:ggg (Revised 04/09/93) 13

TO: POTOMAC PUBLISHING COMPANY  
January 12, 1995 Issue - Jeffersonian  
Please forward billing to:  
F. Vernon Booser, Esq.  
614 Bosley Avenue  
Towson, Maryland 21204  
828-9441  
NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:  
CASE NUMBER: 95-224-A (Item 217)  
11700 Reisterstown Road -- Hampshire Square  
SW/S Reisterstown Road at point formed by its intersection with NW/S Cherry Valley Road  
4th Election District - 3rd Councilmanic  
Legal Owner(s): KD Associates  
Contract Purchaser(s): Stephen L. Miles  
HEARING: WEDNESDAY, FEBRUARY 1, 1995 at 10:00 a.m. in Room 118, Old Courthouse.  
Variance to permit a sign of 175.5 square feet in lieu of the required maximum of 150 square feet.  
LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY  
NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204  
JANUARY 6, 1995 (410) 887-3353  
NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:  
CASE NUMBER: 95-224-A (Item 217)  
11700 Reisterstown Road -- Hampshire Square  
SW/S Reisterstown Road at point formed by its intersection with NW/S Cherry Valley Road  
4th Election District - 3rd Councilmanic  
Legal Owner(s): KD Associates  
Contract Purchaser(s): Stephen L. Miles  
HEARING: WEDNESDAY, FEBRUARY 1, 1995 at 10:00 a.m. in Room 118, Old Courthouse.  
Variance to permit a sign of 175.5 square feet in lieu of the required maximum of 150 square feet.  
Carl Jablon  
Arnold Jablon  
Director  
cc: KD Associates/Metropolitan Management Co.  
Stephen L. Miles  
F. Vernon Booser  
NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.  
Printed with Soy-based Ink on Recycled Paper

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353  
January 25, 1995  
F. Vernon Booser, Esquire  
614 Bosley Avenue  
Towson, Maryland 21204  
RE: Item No.: 217  
Case No.: 95-224-A  
Petitioner: KD Associates, et al  
Dear Mr. Booser:  
The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on December 19, 1994.  
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.  
If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).  
Sincerely,  
W. Carl Richards, Jr.  
W. Carl Richards, Jr.  
Zoning Supervisor  
WCR/jw  
Attachment(s)

Baltimore County Government  
Fire Department  
700 East Joppa Road, Suite 901  
Towson, MD 21286-5500 (410) 887-4500  
DATE: 01/18/95  
Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105  
RE: Property Owner: SEE BELOW  
LOCATION: DISTRIBUTION MEETING OF JAN. 2, 1995.  
Item No.: SEE BELOW Zoning Agenda:  
Continuation:  
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.  
3. The Fire Marshal's Office has no comments at this time.  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 217, 218, 219 AND 220.  
RECEIVED  
JAN 19 1995  
ZADM  
REVIEWER: LT. ROBERT P. SALERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F  
cc: File  
Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE  
TO: Arnold Jablon, Director  
Zoning Administration  
and Development Management  
Date: January 9, 1995  
FROM: Robert W. Bowling, Chief  
Developers Engineering Section  
SUBJECT: Zoning Advisory Committee Meeting  
For January 4, 1995  
Item No. 217  
The Developers Engineering Section has reviewed the subject zoning item. The subject item is not in compliance with the existing Landscape Manual requirements. If a variance is granted for this site, it should be made subject to compliance.  
RWB:jrb  
cc: File  
RWB11  
RWB11/PB\_FORM

Maryland Department of Transportation  
State Highway Administration  
O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator  
1-3-95  
Ms. Julie Winarski  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204  
ATTN: MS. JULIE WATSON  
Dear Ms. Winarski:  
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.  
Please contact Bob Small at 410-333-1350 if you have any questions.  
Thank you for the opportunity to review this item.  
Very truly yours,  
Bob Small  
for Ronald Burns, Chief  
Engineering Access Permits  
Division  
BS/  
My telephone number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2228 Statewide Toll Free  
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



SUBJECT: 11700 Reisterstown Rd.

INFORMATION:

Item Number: 217  
Petitioner: Steven L. Miles  
Property Size: .77 acre  
Zoning: BL-CNS  
Requested Action: Variance  
Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Staff does not oppose the applicant's request provided that the style of the additional information to be added to the sign is compatible with the existing message. Should the applicant's request be granted, staff recommends that a landscape plan be submitted and reviewed by the Department of Public Works since a site inspection revealed insufficient landscaping along Reisterstown Rd.

Prepared by: Jeffrey M. Day  
Division Chief: Cary L. Kerner  
PK/JL

ITEM217 / PZONE / TXTJWL

RE: PETITION FOR VARIANCE	*	BEFORE THE
11700 Reisterstown Road, SW/S Reisterstown		
Road at point formed by its intersection		ZONING COMMISSIONER
with NW/S Cherry Valley Road		
4th Election District - 3rd Councilmanic	*	OF BALTIMORE COUNTY
KD Associates/Stephen L. Miles	*	CASE NO. 95-224-A
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

*Carole S. Demilio*  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Room 47, Courthouse  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 20<sup>th</sup> day of January, 1995, a copy of the foregoing Entry of Appearance was mailed to F. Vernon Boozer, Esquire, 614 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN

COVAHEY &amp; BOOZER, P. A.

ATTORNEYS AT LAW  
614 BOSLEY AVENUE  
TOWSON, MARYLAND 21204  
AREA CODE 410  
828-9441

EDWARD C. COVAHEY,  
F. VERNON BOOZER \*  
MARK S. DEVAN  
ANTHONY J. DIPAULA \*  
THOMAS P. DORE  
ROGER J. SULLIVAN

\* ALSO ADMITTED TO D. C. BAR

ANNEX OFFICE

SUITE 101  
606 BALTIMORE AVE.  
TOWSON, MD. 21204

December 19, 1994

Arnold Jablon, Director  
Baltimore County Office of Planning & Zoning  
4th Floor, Room 406  
401 Bosley Avenue  
Towson, Maryland 21204

RE: Variance - Hammershire Square  
11700 Reisterstown Road  
Item No. 217

Dear Mr. Jablon:

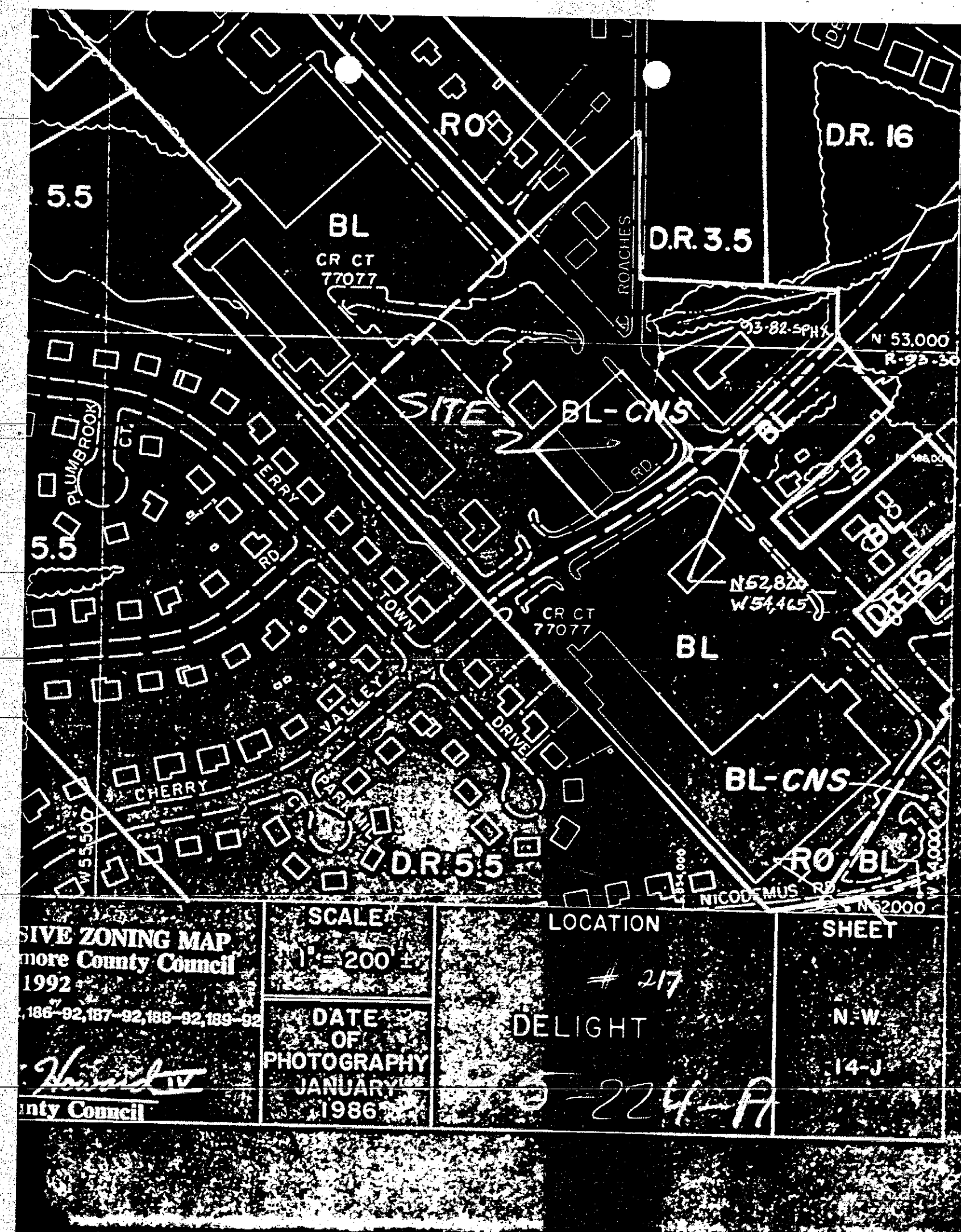
Please be advised that my office represents Steven L. Miles, the Petitioner for the above captioned zoning variance request. Same was accepted for filing by the Office of Zoning on 12/19/94. It is my understanding that in the normal course of events, these hearings are conducted approximately 45 days after filing.

Please treat this letter as a formal request to have the hearing date in this matter held as quickly as possible as my client cannot commit to a long term lease at the above captioned location without benefit of the zoning variance. Likewise, at such time as the variance request is heard, the owner of the above captioned property is denied rental income from my client. Time is therefore of the essence. Any consideration you can give in this regard will be greatly appreciated.

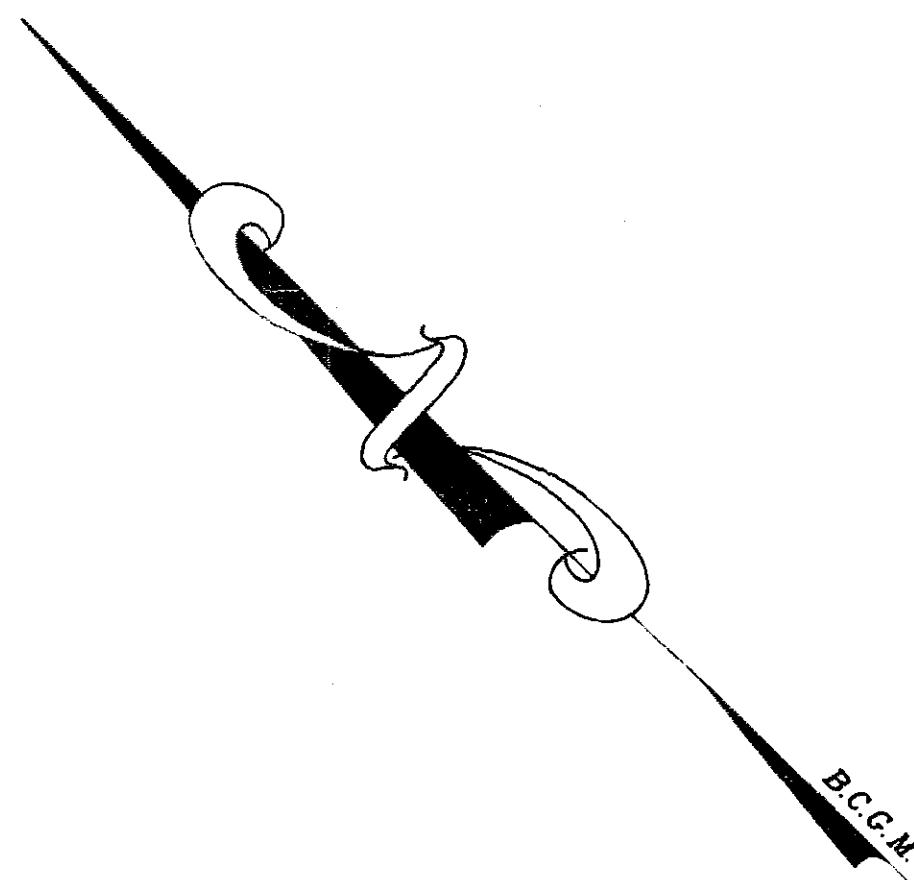
Very truly yours,

F. VERNON BOOZER

FVB/gab  
cc: Steven L. Miles, Esq.  
19`gab.06

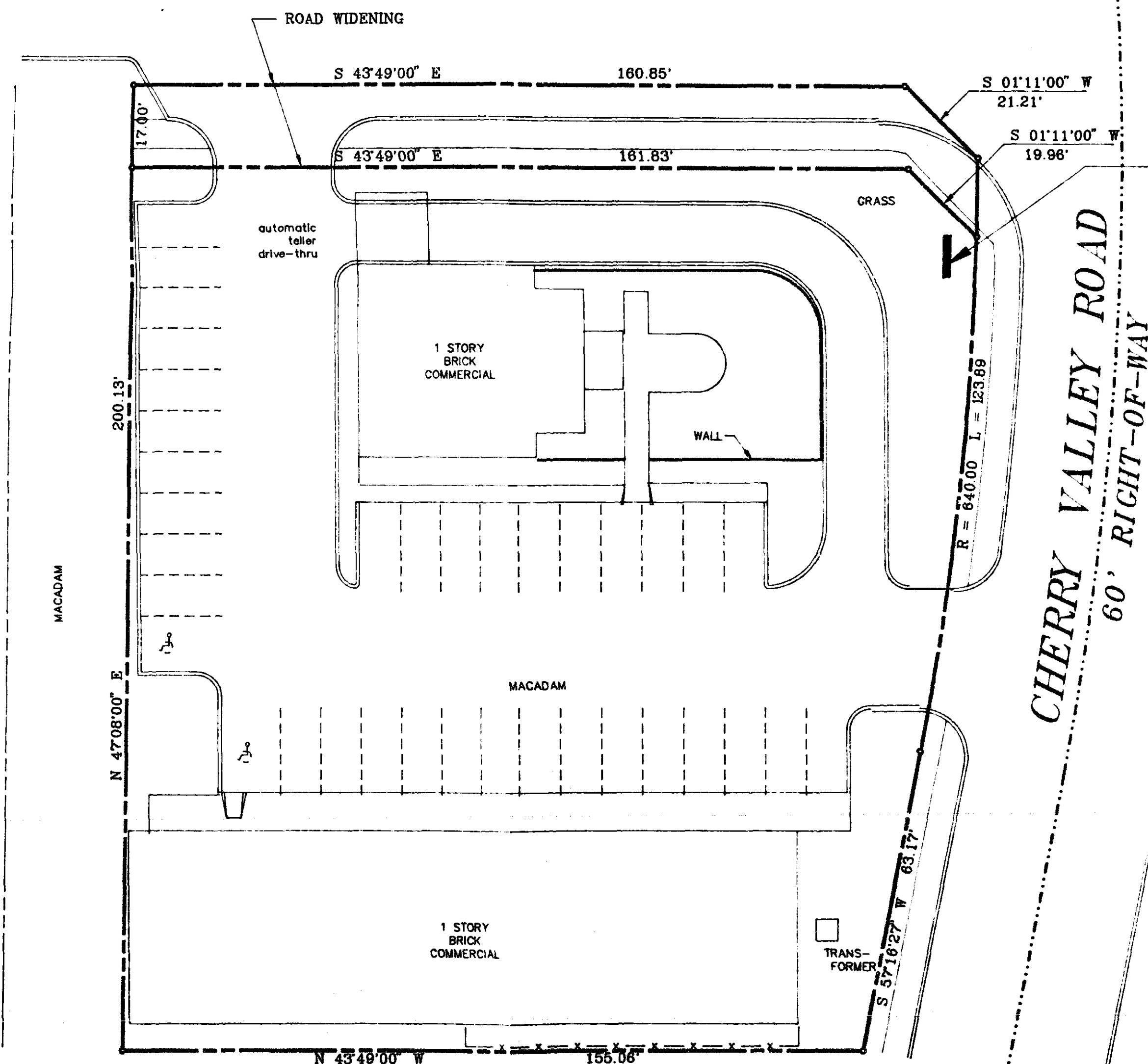






ALPHER & MEYER  
5628/0903  
EXISTING COMMERCIAL

## REISTERSTOWN ROAD 66' RIGHT-OF-WAY



CHERRYVALE PLAZA  
EXISTING COMMERCIAL

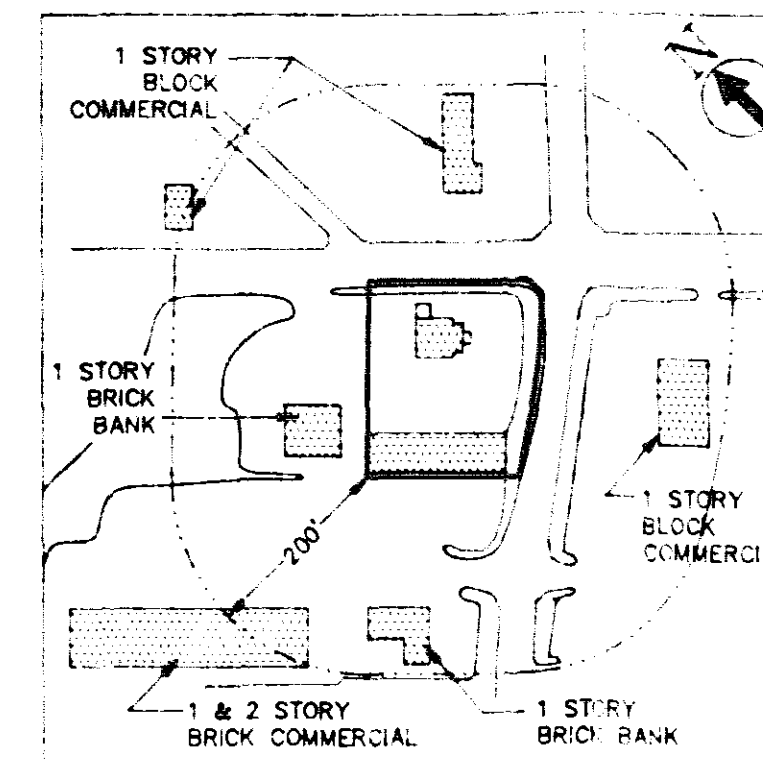
ZONING LINE  
BL-CNS

SIGN

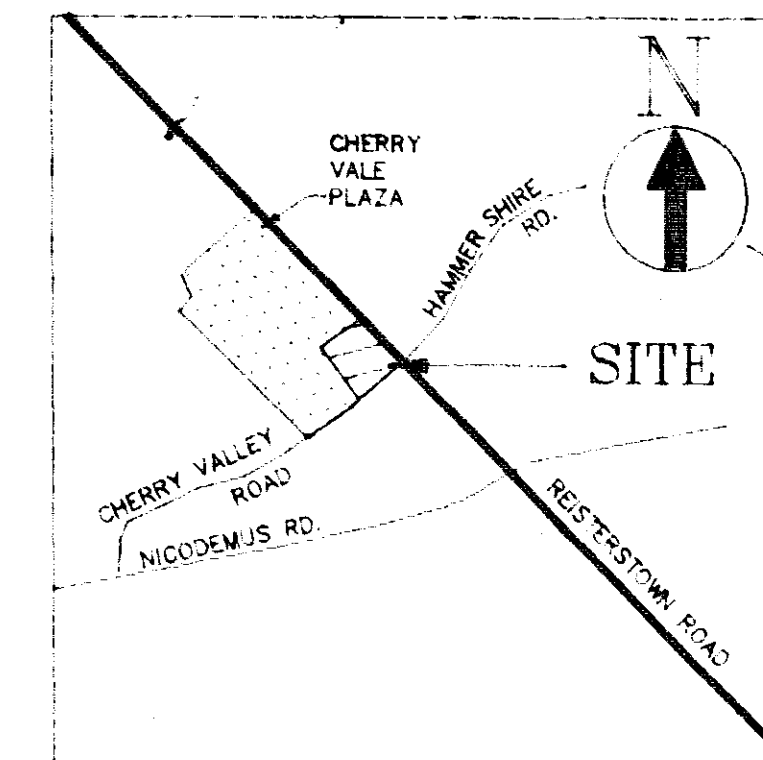
MICHAEL P. SMITH  
GEORGE A. OURSLER  
LSS 0226  
EXISTING COMMERCIAL

### GENERAL NOTES:

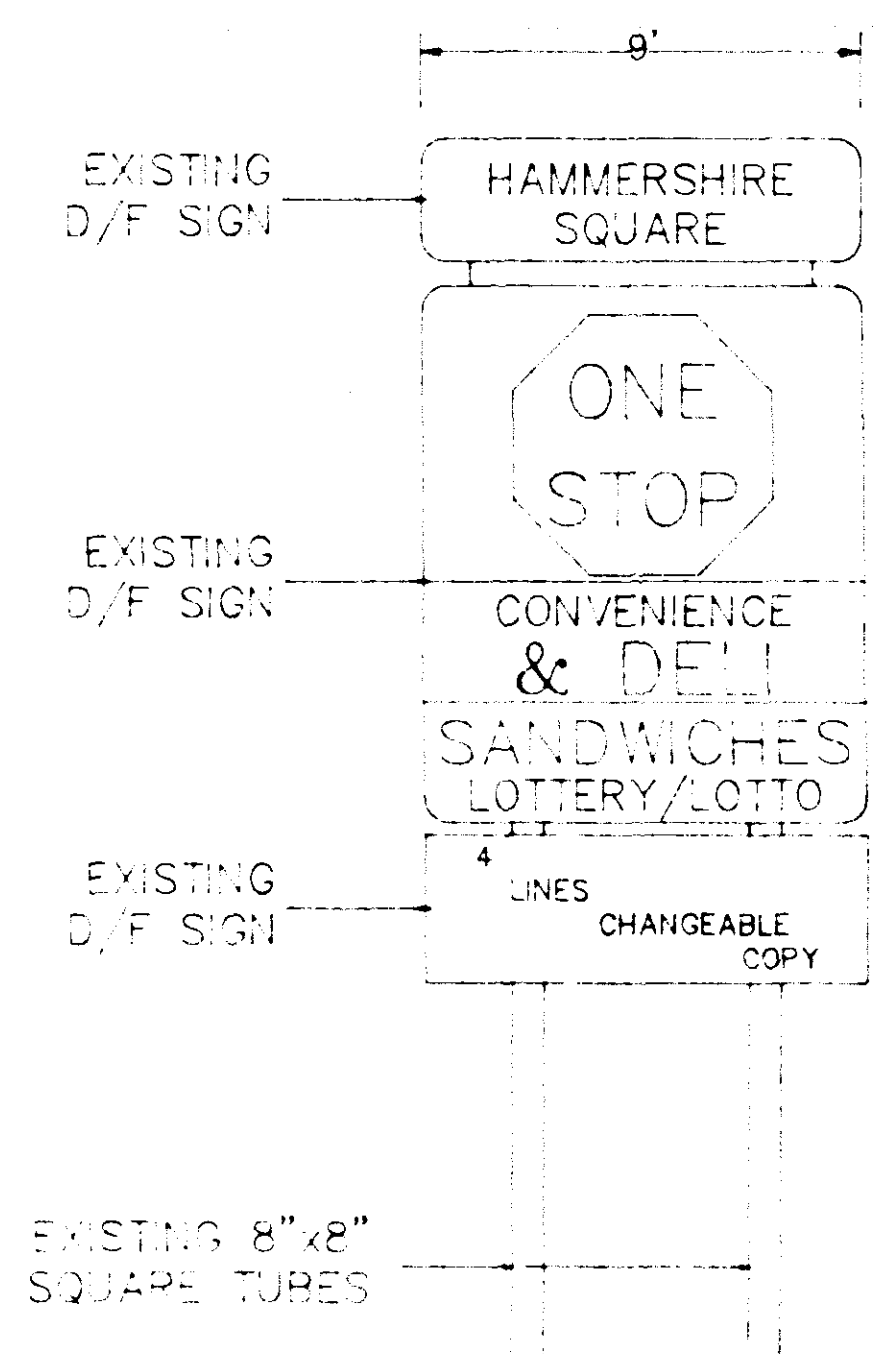
- 1) CURRENT OWNER: K & D ASSOCIATES
- 2) OWNER'S ADDRESS: 6229 NORTH CHARLES STREET  
BALTIMORE, MARYLAND 21212
- 3) OWNER'S TELEPHONE NO.: 377-8600
- 4) APPLICANT: STEVEN L. MILES
- 5) APPLICANT'S ADDRESS: 11700 REISTERSTOWN ROAD  
REISTERSTOWN, MARYLAND 21136
- 6) DEED REFERENCE: 7302/631
- 7) PLAT REFERENCE: NONE
- 8) TAX ACCOUNT NO. 04-19-051325
- 9) ELECTION DISTRICT: 4
- 10) COUNCILMANIC DISTRICT: 3
- 11) CENSUS TRACT: 4044.01
- 12) WATERSHED: 27
- 13) SUBWATERSHED: 67
- 14) ZONING IS BL-CNS
- 15) TYPE OF BUSINESS: OFFICES
- 16) GROSS AREA: 0.7760 ACRE = 33,803 Sq.Ft.
- 17) FLOOR AREA: OFFICES 5600 Sq.Ft.  
BANK 1920 Sq.Ft.  
TOTAL 7520 Sq.Ft.
- 18) PARKING SPACES REQUIRED: 35
- 19) PARKING SPACES EXISTING: 36
- 20) F.A.R. ALLOWED: 3.0 x 33,803 Sq.Ft.  
= 101,409 Sq.Ft.
- 21) F.A.R. = 7520 Sq.Ft.
- 22) A.O.S. = NOT REQUIRED
- 23) PREVIOUS ZONING HEARINGS: 73-32-X
- 24) PREVIOUS COMMERCIAL PERMITS: P217422, B188675,  
B188678, E189397, E190106, P189553, P190433
- 25) PREVIOUS WAIVERS: CONSTRUCTION ON THE SITE WAS  
COMPLETED APPROX. 1985, WITH  
NO FURTHER IMPROVEMENTS SINCE.
- 26) IMPROVEMENTS SHOWN ARE DERIVED FROM  
A PLAT PREPARED BY DAFT, McCUNE,  
WALKER, INC. TITLED "AMENDED HAMMERSHIRE  
SQUARE" APRIL 9, 1985.



STRUCTURES & USE MAP  
SCALE: 1" = 200'

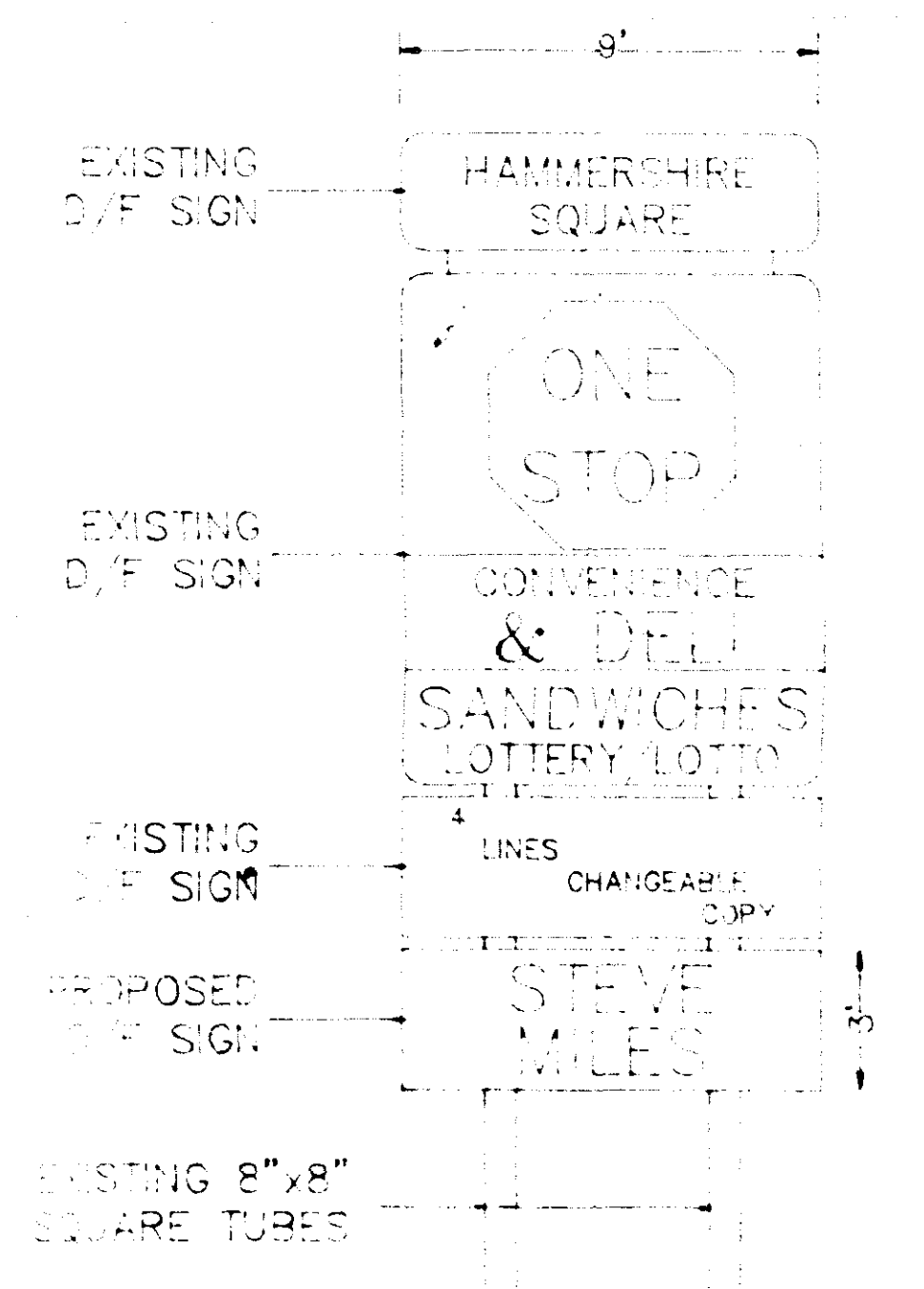


VICINITY MAP  
SCALE: 1" = 1000'



### EXISTING SIGN

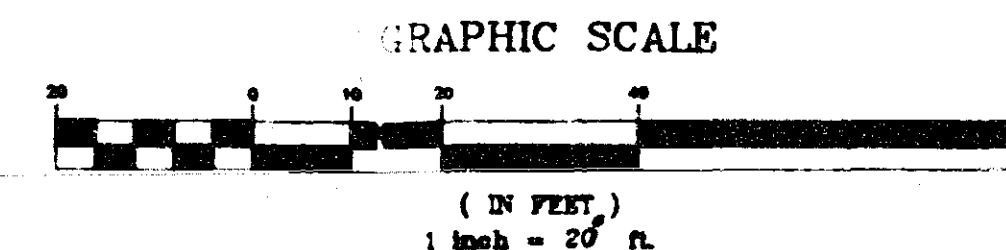
AREA ALLOWED = 150 Sq.Ft. PER SIDE  
EXISTING AREA = 148.5 Sq.Ft. PER SIDE



### PROPOSED SIGN

AREA ALLOWED = 150 Sq.Ft. PER SIDE  
PROPOSED AREA = 175.5 Sq.Ft. PER SIDE  
VARIANCE REQUESTED FOR 25.5 Sq.Ft. PER SIDE

# 95-224-A



PETITIONER'S  
EXHIBIT

KENNETH J. WELLS, INC.  
7902 BELAIR ROAD  
BALTIMORE, MARYLAND 21236  
(410) 665-3242

KJW

LAND PLANNERS AND SURVEYORS

PLAN TO ACCOMPANY  
A PETITION FOR A  
ZONING VARIANCE  
HEARING

REVISIONS:  
NO. DATE

DRAWN BY: JCH

CHECKED BY:

DATE: 12/09/94

TITLE:

HAMMERSHIRE  
SQUARE

11700 REISTERSTOWN RD.

Z-1

SHEET 1 OF 1

PROJECT NO.:

94041